

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD WITTREN
Plaintiff(s),

No. 08-02220 MEJ

v.

**CONDITIONAL ORDER OF
DISMISSAL**

PETE GEREN
Defendant(s).

On June 11, 2009, the parties in the above-captioned matter participated in a mediation session, at which time the case settled. Accordingly, the Court vacated all pending pretrial and trial dates, and ordered the parties shall file a stipulation for dismissal forthwith. (Dkt. #22.) As the parties have not filed a stipulation, IT IS HEREBY ORDERED that this cause of action be dismissed with prejudice; provided, however that if any party hereto shall certify to this Court, within thirty days, with proof of service thereof, that the agreed consideration for the settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: September 17, 2009



Maria-Elena James
Chief United States Magistrate Judge